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07/31/03

PATENT
Customer No. 22,852
Attorney Docket No. 4208.0142

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Ippei SHAKE et al.)
)
Application No.: 10/091,575) Group Art Unit: 2633
)
Filed: March 7, 2002) Examiner: Unassigned
)
For: OPTICAL WAVELENGTH)
DIVISION MULTIPLEX SIGNAL)
MONITORING APPARATUS)

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MAR 26 2003

Commissioner for Patents
Washington, DC 20231

Technology Center 2600

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents, including any copending patent applications, are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

English translations of the non-English documents are enclosed.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 23, 2003

By: 

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INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

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|------------------|--------------------|------------|------------|
| Atty. Docket No. | 4208.0142 | Appln. No. | 10/091,575 |
| Applicant | Ippei SHAKE et al. | | |
| Filing Date | March 7, 2002 | Group: | 2633 |

| U.S. PATENT DOCUMENTS | | | | | | | |
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| Examiner Initial* | | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
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| | | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
| | | EP 0 920 150 A2 | 06/02/99 | Europe | | | Yes |
| | | 11-223575 | 08/17/99 | Japan | | | English Abstract |
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| | D. Marcuse, "Derivation of Analytical Expressions for the Bit-Error Probability in Lightwave Systems with Optical Amplifiers," IEEE Journal of Lightwave Technology, Vol. 8, No. 12, pp. 1816-1823, December 1990 |
| | Takara Hidehiko et al., "Ultra High-Speed Optical Waveform Measurement Method Using Optical Sampling with Sum-Frequency Generation", The Journal of the Institute of Electronics, Information and Communication Engineers of Japan, B-I Vol. J75-B-I, No. 5, pp. 372-380, May 1992 |
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| Examiner | Date Considered |
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.